



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(301)

CWP No. 8181 of 2021 (O&M)
Date of Decision : 28.10.2024

Jagtar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

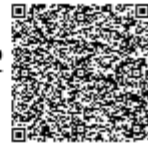
CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amandeep Sharma, Advocate and
Mr. Ritesh Aggarwal, Advocate for the petitioner.

Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel appearing on behalf of the petitioner submits that the benefit of ACP has already been declined to the petitioner on the ground that while working on the substantive rank, petitioner was given additional charge of the higher post for which he has been given higher pay scale, hence, petitioner cannot claim higher pay scale of the promotional post as well as the ACP of the substantive rank simultaneously.
2. Learned counsel for the petitioner submits that the petitioner intends to forego the pay of the higher post so as to claim the benefit of ACP in the substantive rank and the respondents be directed to consider the said claim of the petitioner by passing an appropriate speaking order.
3. Learned counsel for the respondents submits that in case, any representation is received from the petitioner stating that he is ready to forego



the salary of the higher post in order to get the benefit of ACP of his substantive rank, appropriate consideration will be given and appropriate order will be passed within a period of eight weeks of the receipt of any such representation and in case, it is found feasible to accept the request of the petitioner, the same will be accepted, otherwise due reasons will be mentioned in the speaking order, which will be conveyed to the petitioner.

4. Learned counsel for the petitioner submits that in view of the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to file a representation.

5. Ordered accordingly.

6. Pending miscellaneous application, if any, also stands disposed of.

October 28, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No